

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
CIVIL DIVISION**

**Case No. 22-81731-CV-MIDDLEBROOKS/MATTHEWMAN**

<b>DEVIN FILIPPELLI, as Personal</b>	)	
<b>Representative of the ESTATE OF</b>	)	
<b>KRYSTAL TALAVERA, on behalf of the</b>	)	
<b>Estate and her Survivors,</b>	)	
	)	
<b>Plaintiff,</b>	)	
<b>vs.</b>	)	
	)	
<b>GROW, LLC (d/b/a KD INCORPORATED</b>	)	
<b>and THE KRATOM DISTRO); and</b>	)	
<b>SEAN MICHAEL HARDER, individually.</b>	)	
	)	
<b>Defendants.</b>	)	

---

**MOTION TO WITHDRAW**

COMES NOW, the undersigned counsel and law firm for the Defendants, GROW, LLC (d/b/a KD Incorporated and The Kratom Distro); and SEAN MICHAEL HARDER (the "Defendants"), by and on their own belief, and hereby file the following Motion to Withdraw, and as grounds therefore would show:

1. The undersigned counsel and law firm first appeared in this matter in conjunction with the response to the Complaint served upon the Defendants.
2. On March 15, 2023, Defendants filed their Notice of Withdrawal of Answer and Affirmative Defenses and Consent to Default Judgment due to a lack of financial resources (Doc. 36).
3. On March 24, 2023, a Clerk's Default was entered against the Defendants (Doc. 42).

4. Defendants consent to this withdrawal and there will be no prejudice to the Defendants, as all defenses have been waived and Default has been entered.

5. The last known address and contact information for the Defendants is as follows:

- a. Address: 1061 N. Cliff Creek Avenue  
Meridian, ID 83642
- b. E-Mail: Fiksdelivery@gmail.com

WHEREFORE, the undersigned counsel and law firm respectfully request this Court to enter an Order GRANTING the Motion to Withdraw and directing all further inquiries be forwarded to the Defendants.

Designated email addresses:

[justin.niznik@bowmanandbrooke.com](mailto:justin.niznik@bowmanandbrooke.com)  
[kara.thomas@bowmanandbrooke.com](mailto:kara.thomas@bowmanandbrooke.com)  
[orfa.diaz@bowmanandbrooke.com](mailto:orfa.diaz@bowmanandbrooke.com)

*/s/ Justin D. Niznik*

---

**JUSTIN D. NIZNIK**

Florida Bar No. 774901

**BOWMAN AND BROOKE LLP**

1064 Greenwood Boulevard - Suite 212

Lake Mary, Florida 32746-5419

(407) 585-7600

(407) 585-7610 – Fax

***Attorneys for Defendants***

**GROW, LLC and SEAN MICHAEL**

**HARDER**

**CONSENT**

Defendants, GROW, LLC (d/b/a KD Incorporated and The Kratom Distro); and SEAN MICHAEL HARDER, consent to Justin D. Niznik, Esquire and the law firm of Bowman and Brooke LLP's Motion to Withdraw as Counsel of Record for Defendants.

Dated: 4/7/2023

GROW, LLC

By: [Signature]  
Printed Name: Sean Harder  
Its: Managing Member

Dated: 4/7/2023

By: [Signature]  
SEAN MICHAEL HARDER

**CERTIFICATE OF SERVICE**

I **HEREBY CERTIFY** that on April 10, 2023, a true and correct copy of the foregoing was electronically filed with the Clerk of the Court using the CM/ECF system, system, which generates a notice of the filing to all attorneys of record.

*/s/Justin D. Niznik*

---

**JUSTIN D. NIZNIK**

Florida Bar No. 774901